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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

STATE COMPENSATION INSURANCE
FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES
LLC, a California limited liability company;
WACHOVIA BANK, N.A.; DOES 1 through
10 inclusive; and DOES 11 through 20
inclusive,

Defendants.

CASE NO.: CV 09 2959 JSW (EDL)

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING MEDIATION DEADLINE
AND CERTAIN CASE MANAGEMENT
DEADLINES**

Local Rule 6-2

Trial Date: August 22, 2011

**STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING MEDIATION DEADLINE AND CASE
MANAGEMENT DEADLINES
CASE NO.: CV 09 2959 JSW (EDL)**

1 Plaintiff State Compensation Insurance Fund ("State Fund") and Defendants
 2 Metropolitan West Securities LLC and Wells Fargo Bank, N.A. (successor by merger to Wachovia
 3 Bank N.A.) (collectively, "Wachovia"), through their counsel of record, stipulate as follows:

4 RECITALS

5 1. The Court's May 3, 2010 order provides the following deadlines:

6 Completion of mediation: October 29, 2010

7 Fact discovery cutoff: February 4, 2011

8 Disclosure of experts and reports: February 14, 2011

9 Disclosure of rebuttal experts and reports: March 7, 2011

10 Expert discovery cutoff: April 1, 2011

11 Dispositive motion hearing date: June 10, 2011

12 Final pretrial conference: August 1, 2011 (2:00 PM)

13 Trial: August 22, 2011 (8:00 AM)

14 2. The parties conferred and agreed that mediating at this time would not be
 15 productive, and that further discovery is necessary to have meaningful settlement discussions.
 16 Discovery is on-going, and the parties have exchanged interrogatories, made some electronic and
 17 hard copy productions, and are preparing for further productions. However, discovery disputes
 18 have arisen, and the parties submitted letters to the Court on September 7, 2010 requesting leave to
 19 file cross-motions to compel. On September 9, 2010, the parties' discovery disputes were referred
 20 to Magistrate Judge Elizabeth Laporte, who then set a briefing schedule and hearing on November
 21 23, 2010. The parties currently anticipate that most depositions in the case will take place only after
 22 the discovery motions are resolved and any further ordered discovery is provided. Accordingly, the
 23 parties request a continuance of the mediation deadline and a short continuance of certain of the
 24 other case management deadlines. These requested continuances would not affect the dates for the
 25 dispositive motion hearing, the pretrial conference or trial.

26 3. This is the parties' second request for an extension of the mediation deadline and
 27 case management deadlines.

STIPULATION

The parties stipulate to the following revised mediation and case management schedule:

Fact discovery cutoff: March 18, 2011

Disclosure of experts and reports: March 25, 2011

Disclosure of rebuttal experts and reports: April 13, 2011

Expert discovery cutoff: May 3, 2011

Completion of mediation: May 31, 2010

Dispositive motion hearing date: June 10, 2011

Final pretrial conference: August 1, 2011 (2:00 PM)

Trial: August 22, 2011 (8:00 AM)

SO STIPULATED:

Dated: October 29, 2010

BARGER & WOLEN LLP

By: //s/ J. Russell Stedman
J. RUSSELL STEDMAN
TRAVIS R. WALL
PETER FELSENFELD
Attorneys for Plaintiff
State Compensation Insurance Fund

Dated: October 29, 2010

MUNGER, TOLLES & OLSON

By: //s/ James Rutten
MARC DWORSKY
JAMES RUTTEN
ERIC TUTTLE
Attorneys for Defendants
Metropolitan West Securities LLC and
Wells Fargo Bank, N.A. (successor by
merger to Wachovia Bank, N.A.)

ORDER

The parties, by and through their counsel of record, stipulated to the following ADR and case management schedule:

Fact discovery cutoff: March 18, 2011

Disclosure of experts and reports: March 25, 2011

Disclosure of rebuttal experts and reports: April 13, 2011

Expert discovery cutoff: May 3, 2011

Completion of mediation: May 31, 2010

Dispositive motion hearing date: June 10, 2011

Final pretrial conference: August 1, 2011 (2:00 PM)

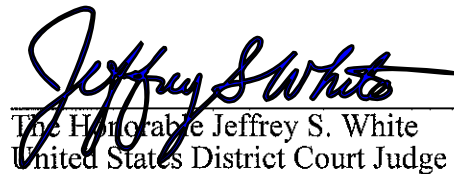
Trial: August 22, 2011 (8:00 AM)

Satisfactory proof having been shown and good cause appearing,

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 1, 2010

By:


The Honorable Jeffrey S. White
United States District Court Judge